

## Message Text

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ORIGIN ARA-10

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R 200134Z SEP 75

FM SECSTATE WASHDC

TO AMEMBASSY MEXICO

C O N F I D E N T I A L STATE 225002

E.O. 11652: GDS

TAGS: ETRD, ESTC, CU, US

SUBJECT: THIRD COUNTRY RESTRICTIONS AGAINST TRADE WITH CUBA

REF: MEXICO 7498, STATE 197983

1. WE ARE IMPLEMENTING MODIFICATIONS IN OUR THIRD COUNTRY RESTRICTIONS ANNOUNCED AUGUST 21. TERMINATION OF BUNKERING RESTRICTIONS IN US CONTROLLED PORTS FOR THIRD COUNTRY SHIPS ENGAGED IN CUBA TRADE WAS ANNOUNCED PUBLICLY IN DEPARTMENT OF COMMERCE EXPORT ADMINISTRATION BULLETIN 145 OF AUGUST 29. SECRETARIAL WAIVER UNDER THE FOREIGN ASSISTANCE ACT OF 1961 AS AMENDED OF LOSS OF BILATERAL AID BY COUNTRIES WITH SHIPS IN THE CUBA TRADE HAS BEEN FORWARDED TO CONGRESS AND WILL BE PUBLISHED IN FEDERAL REGISTER AS WILL REVISED TREASURY AND COMMERCE REGULATIONS ON US SUBSIDIARIES ONCE AGREED. CONGRESSIONAL LEGISLATION IS UNDERWAY TO AMEND PL 480 TO BROADEN WAIVER AUTHORITY TO PERMIT SALES OF FOOD TO THIRD COUNTRIES WHOSE SHIPS AND AIRCRAFT ENGAGED IN THE  
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CUBA TRADE.

2. AS POINTED OUT IN STATE 197983, LICENSES WILL STILL BE REQUIRED FOR COMMERCIAL TRANSACTIONS BY US SUBSIDIARIES IN THIRD COUNTRIES FAVORING TRADE WITH CUBA. THEY WILL REMAIN

SUBJECT TO RESTRICTIONS AGAINST EXPORT OF TECHNOLOGY OR STRATEGIC ITEMS. AS GENERAL RULE, LICENSES WILL BE APPROVED RAPIDLY WHERE CONTENT US ORIGIN PARTS AND COMPONENTS IS INSUBSTANTIAL. (FYI: ROUGHLY 20 PERCENT OR LESS; OVER 20 PERCENT WILL REQUIRE CASE BY CASE REVIEW.)

3. ONCE FINAL GUIDELINES COMPLETED, WE WILL FORWARD THEM TO ALL CONCERNED POSTS.

4. IN ANY EVENT, WE ARE NOT ANXIOUS TO STIMULATE TRADE WITH CUBA. NOR DO WE WISH MODIFICATIONS IN OUR THIRD

COUNTRY RESTRICTIONS TO BECOME A DEVICE FOR CIRCUMVENTING OUR OWN BILATERAL CONSTRAINTS ON US-CUBAN TRADE. EVENTUALLY NEGOTIATIONS WILL BE REQUIRED TO RESOLVE RANGE OF ISSUES DIVIDING US AND CUBA AND IT IS IN OUR OWN BEST INTERESTS NOT TO DISMANTLE OUR TRADE CONSTRAINTS BEFORE PROGRESS DEVELOPS IN SUCH NEGOTIATIONS. END. KISSINGER

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## Message Attributes

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